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OFFICE OF PETITIONS

In re Application of	:	
Harry Frederick Bowman	:	
Application No. 10/809120	:	DECISION DISMISSING PETITION
Filed: 03/24/2004	:	UNDER 37 CFR 1.78(a)(3)
Attorney Docket No. TTI-03	:	

This is a decision on the petition filed on 29 June, 2007, which is treated as a petition under 37 CFR § 1.78(a)(3), to accept an unintentionally delayed claim under 35 U.S.C. § 120 for the benefit of priority to the prior-filed nonprovisional applications set forth in the concurrently filed amendment.

The petition is **DISMISSED**

A petition for acceptance of a claim for late priority under 37 CFR § 1.78(a)(3) is only applicable to those applications filed on or after November 29, 2000 and after the expiration of the period specified in 37 CFR § 1.78(a)(2)(ii). In addition, the petition under 37 CFR § 1.78(a)(3) must be accompanied by:

- (1) the reference required by 35 U.S.C. §120 and 37 CFR § 1.78(a)(2)(i) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR § 1.78(a)(2)(ii) and the date the claim was filed was unintentional. The Director may require additional where there is a question whether the delay was unintentional.

The petition does not comply with item (1).

Applicant did not indicate the relationship between the present application and prior-filed nonprovisional Application No. 10/364,773 in the amendment filed concurrently with the present petition.

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Any questions concerning this matter may be directed to Senior Petitions Attorney Douglas I. Wood at (571) 272-3231.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/809,120	03/24/2004	3736	385	TTI-03	7	9	3

James L. Neal
 5403 Braebourne Road
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CONFIRMATION NO. 7721

FILING RECEIPT



OC000000012909940

Date Mailed: 06/09/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Harry Frederick Bowman, Needham, MA;

Domestic Priority data as claimed by applicant

This application is a CIP of 10/364,773 02/11/2003
 and claims benefit of 60/458,100 03/26/2003

Foreign Applications

If Required, Foreign Filing License Granted: 06/04/2004

Projected Publication Date: 09/16/2004

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Blood flow monitor with venous and arterial sensors

Preliminary Class

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

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NOT GRANTED

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